

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **In Re Darrell R Lancewicz Trust Agreement**  
Docket No. **289256**  
L.C. No. **08-014637 TR**

Christopher M. Murray, Chief Judge Pro Tem, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The claim of appeal filed on December 8, 2008, is DISMISSED for lack of jurisdiction because the order contained within the November 25, 2008 document does not fall within MCR 5.801(B)(1)(c). The order specifically states, "that the issue of the settlor's competency or incompetency as to the trust in question shall be subject to a determination of a jury." That language does not interpret or construe a testamentary instrument or inter vivos trust as required by MCR 5.801(b)(1)(c).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

**JAN 07 2009**

Date

*Sandra Schultz Mengel*  
Chief Clerk